

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
Washington, DC 20231

Sir:

EL 446932401US

CERTIFICATE OF MAILING/EXPRESS MAIL

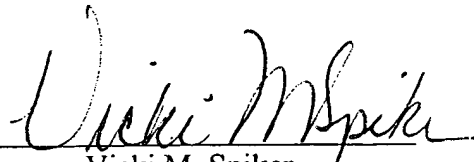
"Express Mail" Mailing Label Number EL446932401US

Date of Deposit September 8, 2000

I hereby certify that this paper, which is a Response to Decision Refusing Status Under 37 CFR 1.47(a) for application entitled LAMINATED FABRIC (our file 3781-11), is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to the Commissioner for Patents, Washington, DC 20231.

C. Robert Rhodes
Registration No. 24,200

Mailed By:


Vicki M. Spiker

Assistant Commissioner for Patents
Washington DC 20231

Date: 9-8-00
SN/Pat. No. 08/957431
Filing/Issue Date: 10-24-97
Applicant/Inventor Name: N.S. Mfg.

Kindly acknowledge receipt of the accompanying items listed below
by placing your receiving stamp hereon and return mailing:

- | | |
|--|---|
| <input type="checkbox"/> Check for \$ _____ | <input type="checkbox"/> Brief |
| <input type="checkbox"/> Application papers: | <input checked="" type="checkbox"/> Amendment <u>Response</u> |
| <input type="checkbox"/> Specification pages _____ | <input type="checkbox"/> Appeal |
| <input type="checkbox"/> Number of claims _____ | <input type="checkbox"/> IDS, PTO-1449 & _____ documents |
| <input checked="" type="checkbox"/> Declaration | <input type="checkbox"/> Issue fee |
| <input type="checkbox"/> Power of Attorney | <input type="checkbox"/> Maintenance fee |
| <input type="checkbox"/> Assignment & fee | <input type="checkbox"/> Notice to File Missing Parts |
| <input type="checkbox"/> Small Entity Statement | <input checked="" type="checkbox"/> Certificate of Express Mail |
| <input type="checkbox"/> Drawing pages _____ | * <input type="checkbox"/> OTHER (Specify) _____ |

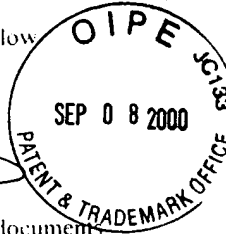
RHODES & MASON PLLC - Docket No. 3781-11

Assistant Commissioner for Patents
Washington DC 20231

Date: 9-8-00
SN/Pat. No. 08/957431
Filing/Issue Date: 10-24-97
Applicant/Inventor Name: N.S. Mfg.

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| <input type="checkbox"/> Specification pages _____ | <input type="checkbox"/> Appeal |
| <input type="checkbox"/> Number of claims _____ | <input type="checkbox"/> IDS, PTO-1449 & _____ documents |
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| <input type="checkbox"/> Power of Attorney | <input type="checkbox"/> Maintenance fee |
| <input type="checkbox"/> Assignment & fee | <input type="checkbox"/> Notice to File Missing Parts |
| <input type="checkbox"/> Small Entity Statement | <input checked="" type="checkbox"/> Certificate of Express Mail |
| <input type="checkbox"/> Drawing pages _____ | * <input type="checkbox"/> OTHER (Specify) _____ |



RHODES & MASON PLLC - Docket No. 3781-11

POST OFFICE TO ADDRESSEE

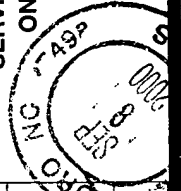


EL446932401US

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SEE REVERSE SIDE FOR
SERVICE GUARANTEE AND LIMITS
ON INSURANCE COVERAGE

ORIGIN (POSTAL USE ONLY)		Day of Delivery		Flat Rate Envelope	
PO Zi Code 27498		<input checked="" type="checkbox"/> First <input type="checkbox"/> Second		<input type="checkbox"/>	
Date in		Time in		Postage	
Mo. 9		Day 8		\$ 11.75	
Year 00		PM		Return Receipt Fee	
No. 1825		Military <input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day		COD Fee	
Time in 1:00 AM		Int'l Alpha Country Code		Insurance Fee	
Weight		Acceptance Mark Initials		Total Postage & Fees	
lbs. 7		R		\$ 11.75	
No Delivery <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday <input type="checkbox"/>		Int'l Alpha Country Code		Insurance Fee	
Customer Use Only		Acceptance Mark Initials		Total Postage & Fees	
METHOD OF PAYMENT:		R		\$ 11.75	
Express Mail Corporate Acct. No.		X274175		Insurance Fee	
Federal Agency Acct. No. or Postal Service Acct. No.		X274175		Total Postage & Fees	



CUSTOMER USE ONLY		TO: (PLEASE PRINT)	
METHOD OF PAYMENT:		PHONE ()	
Express Mail Corporate Acct. No.		X274175	
Federal Agency Acct. No. or Postal Service Acct. No.		X274175	
NO DELIVERY <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday <input type="checkbox"/>		TO: (PLEASE PRINT)	
Customer Signature		PHONE ()	

FROM: (PLEASE PRINT)		TO: (PLEASE PRINT)	
PHONE ()		PHONE ()	
RHCDES & MASON PLLC		ASSISTANT COMMISSIONER FOR	
PO BOX 2974		PATENTS	
GREENSBORO		WASHINGTON	
FILE NUMBER 3281-11		DC 20231-9998	
290			
298/00			

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Assistant Commissioner for Patents
Washington, DC 20231

RECEIVED
MAR 05 2002
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EL887083688US

Sir:

CERTIFICATE OF MAILING/EXPRESS MAIL

"Express Mail" Mailing Label Number EL887083688US

Date of Deposit October 4, 2001

I hereby certify that this paper, which is an Amendment and Response to Office Action on behalf of Holland et al. (our file 3781-11), and the attached fee are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, DC 20231.

Lewis S. Rowell
Registration No. 45469

Mailed By: Brandi A. Mitchell
Brandi A. Mitchell



EL 887083688 US

EXPRESS MAIL
UNITED STATES POSTAL SERVICE®
POST OFFICE TO ADDRESSEE

Customer Copy
Label 11-F August 2000

ORIGIN (POSTAL USE ONLY)	
PO ZIP Code 27420	Day of Delivery <input checked="" type="checkbox"/> 1st <input type="checkbox"/> Second
Date In 14 4:01 PM	Postage \$ 1245
No. 130	Return Receipt Fee
Weight 3.4 lbs.	COD Fee
<input type="checkbox"/> AM <input type="checkbox"/> PM <input type="checkbox"/> Holiday	Insurance Fee
Int'l Alpha Country Code	Total Postage & Fees \$ 1245
Acceptance Stamp/Initials	

Copy
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SERVICE GUARANTEE AND LIMITS
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☐ **WAIVER OF SIGNATURE** (Domestic Only): Additional merchandise insurance is void if waiver of signature is requested. I wish delivery to be made without obtaining signature of addressee or addressee's agent. (If delivery employee judges that article can be left in secure location) and I authorize that delivery employee's signature constitutes valid proof of delivery.

☐ **NO DELIVERY** ☐ Weekend ☐ Holiday

Customer Signature

Federal Agency Acct. No. or
Postal Service Acct. No.

374127M

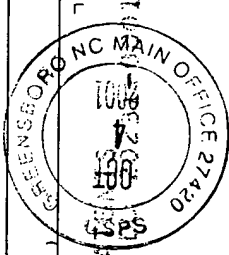
TO: (PLEASE PRINT)	
COMMISSIONER FOR PATENTS WASHINGTON	
PHONE	

FROM: (PLEASE PRINT)	
WOMBLE CARLYLE SANDRIDGE & RICE 300 N. GREENE ST STE 1900 GREENSBORO NC 27401-2167	

3781-11 BH

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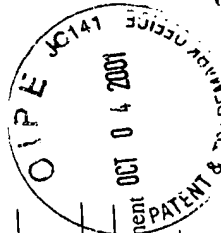


Assistant Commissioner for Patents
Washington DC 20231

Date: October 4, 2001
SN/Pat. No. 08/957,431
Filing/Issue Date: 10-24-97
Applicant/Inventor Name: Holland et al.

Kindly acknowledge receipt of the accompanying items listed below
by placing your receiving stamp hereon and return mailing:

- ☒ Check for \$ 55.00
- ☐ Application papers:
- ☐ Specification pages —
 - ☐ Number of claims —
 - ☐ Declaration
 - ☐ Power of Attorney —
 - ☐ Assignment & fee —
 - ☐ Small Entity Statement
 - ☐ Drawing pages —
- ☐ Brief
- ☒ Amendment/Response
- ☐ Appeal
- ☐ IDS, PTO-1449 & — documents
- ☐ Issue fee
- ☐ Maintenance fee
- ☐ Notice to File Missing Parts
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- ☐ OTHER (Specify) —



3781-11 BM

Womble Carlyle Sandridge Rice - Docket No.

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Assistant Commissioner for Patents
Washington DC 20231

Date: October 4, 2001
SN/Pat. No. 08/957,431
Filing/Issue Date: 10-24-97
Applicant/Inventor Name: Holland et al.

Kindly acknowledge receipt of the accompanying items listed below
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- ☒ Check for \$ 55.00
- ☐ Application papers:
- ☐ Specification pages ____
 - ☐ Number of claims ____
 - ☐ Declaration
 - ☐ Power of Attorney ____
 - ☐ Assignment & fee ____
 - ☐ Small Entity Statement
 - ☐ Drawing pages ____

- ☐ Brief
- ☒ Amendment/Response
- ☐ Appeal
- ☐ IDS, PTO-1449 & ____ documents
- ☐ Issue fee
- ☐ Maintenance fee
- ☐ Notice to File Missing Parts
- ☒ Certificate to Express Mail
- ☐ OTHER (Specify) _____

Womble Carlyle Sandridge Rice - Docket No. 3781-11 BM

WOMBLE CARLYLE BRIDGE & RICE, PLLC

General Account

300 N. Greene Street, Suite 1900

Greensboro, NC 27401

Tel (336) 574-8030 • Fax (336) 574-4520

No. 00001095

66-8587531

DATE 10-4-01

\$ 55.00

PAY

TO THE
ORDER
OF

Fifty-Five And ⁷⁰/₁₀₀
Commissioner for Patents

Jeffrey R. Biddle

FIRST
UNION
Greensboro, NC

Two Signatures Required for Amounts In Excess of \$1,000.00

⑈00001095⑈ ⑆053108580⑆ 20000080 28448⑈

DETACH REMITTANCE ADVICE HERE

No. 00001095

03781.0010.4 EXTENSION OF TIME FEE





IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: John E. Holland et al.
Serial No.: **08/957,431**
Filed: October 24, 1997
For: **LAMINATED FABRIC**

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

RESPONSE

Responsive to the office communication dated January 28, 2002, applicant has reconstructed the file history and it is attached herewith. We look forward to an action on the merits. The Commissioner is hereby authorized to charge any fees that may be required to Deposit Account 18-1164.

Respectfully submitted,

C. Robert Rhodes
Registration No. 24,200
WOMBLE CARLYLE SANDRIDGE & RICE, PLLC
300 N. Greene Street, Suite 1900
Greensboro, NC 27401

Date: February 27, 2002
File No.: 3781-11 (03781.0010.9)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
Washington, DC 20231

Sir:

CERTIFICATE OF MAILING/EXPRESS MAIL

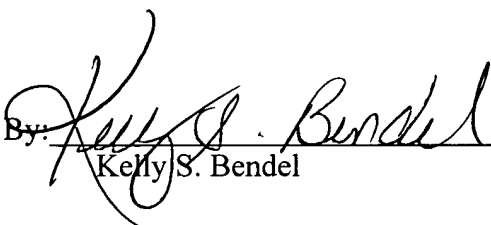
"Express Mail" Mailing Label Number EL795276722US

Date of Deposit February 28, 2002

I hereby certify that this paper, which is a Response (our file 3781.11-03781.0010.9), is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to the Commissioner for Patents, Washington, DC 20231.

C. Robert Rhodes
Registration No. 24,200

Mailed By:


Kelly S. Bendel



THE UNITED STATES PATENT AND TRADEMARK OFFICE

BOX DAC

Assistant Commissioner for Patents
Washington, D.C. 20231-0001

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CERTIFICATE OF MAILING/EXPRESS MAIL

"Express Mail" Mailing Label Number EM428145289US

Date of Deposit February 8, 1999

I hereby certify that the enclosed papers, which are a Petition to Withdraw Holding of Abandonment, Declaration of Clinton H. Hallman, Jr. and Shirley Davis, Assignment with Recordation Sheet, and Power of Attorney on behalf of H & S Manufacturing, Inc. of Bailey (our file 3781-011), and the attached fees are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, DC 20231.

EM428145289US

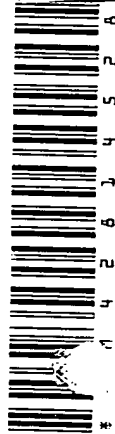
Mailed By:

Pamela Shirling
Pamela Shirling

POST OFFICE
TO ADDRESSEE

EM428145289US

EXPRESS MAIL
UNITED STATES POSTAL SERVICE



ORIGIN (POSTAL USE ONLY)

PO ZIP 87120	Day of Delivery Next	Second	Flat Rate Envelope
Date 2 8 99	12 Noon	3 PM	Postage \$ 15.75
Time In 7:11 PM	Military	2nd Day	Return Receipt
Weight 1.16	Int'l Alpha Country Code	3rd Day	COD
Ins	Accounting Clerk Initials		Total Postage & Fees \$ 15.75

CUSTOMER USE ONLY

METHOD OF PAYMENT:

Express Mail Corporate Acct. No.
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Postal Service Acct. No.

FEB 08 1999

X 74175

FROM: (PLEASE PRINT)

RHODES COATS & BENNETT
PO BOX 2974
GREENSBORO NC 27402-2974

60 2/18/11 M.W.

TO: (PLEASE PRINT)

ASSISTANT COMMISSIONER FOR
PATENTS WASHINGTON DC 20231-0001

Box DAC

PHONE

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NO DELIVERY
WEEKEND
HOLIDAY

WARRANTY OF SIGNATURE (Domestic Only): I warrant delivery to be made without obtaining the signature of the addressee or the addressee's agent if it is the first delivery to the address on the mail piece. I warrant that the addressee or the addressee's agent has authorized the delivery employee to sign for the mail piece. If the delivery employee will constitute valid proof of delivery.

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- Application papers:
- ☒ Specification pages 14
 - ☒ Number of claims 24
 - ☒ Declaration
 - ☐ Power of Attorney
 - ☐ Assignment & fee
 - ☒ Small Entity Statement
 - ☒ Drawing pages 2
- ☐ Brief
- ☐ Amendment/Response
- ☐ Appeal
- ☐ IDS, PTO-1449 & _____ documents
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- ☐ Maintenance fee
- ☐ Notice to File Missing Parts
- ☐ OTHER (Specify) _____

RHODES, COATS & BENNETT - Docket No. 3781-11



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Date: Oct. 24, 1997
SN/Pat. No. _____
Filing/Issue Date: 10/24/97
Applicant/Inventor Name: Holland, et al.

Assistant Commissioner for Patents
Washington DC 20231

Date: Oct. 24, 1997
SN/Pat. No. _____
Filing/Issue Date: 24/97
Applicant/Inventor Name: Holland, et al.

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 - ☒ Number of claims 24
 - ☒ Declaration
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- ☐ Maintenance fee
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76932 U.S. PTO
08/957431
10/24/97



RHODES, COATS & BENNETT - Docket No. 3781-11



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Assistant Commissioner of Patents
Washington, D.C. 20231

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Date of Deposit October 24, 1997

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Mailed By: Susan S. Keefer
Susan S. Keefer

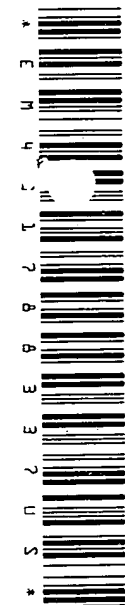
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TO ADDRESSEE

EXPRESS MAIL
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INTERNATIONAL SHIPMENTS ONLY		PO ZIP	Day of Delivery		Postage	
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<input type="checkbox"/> Customs forms and commercial invoices required for entry into foreign country	Time in	2:11	<input type="checkbox"/> 2nd Day	<input type="checkbox"/> 3rd Day		
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<input type="checkbox"/> No Delivery	<input type="checkbox"/> Weekend	<input type="checkbox"/> Holiday	<input type="checkbox"/> Accepted for Mail			
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			<input type="checkbox"/> Signature of Post Office			

BOX DAC
Assistant Commissioner for Patents
Washington DC 20231

Date: 2-8-99
SN/Pat. No. 08/957,431
Filing/Issue Date: 10/24/97
Applicant Inventor Name: Holland J. DE GR.

Kindly acknowledge receipt of the accompanying items listed below
by placing your receiving stamp hereon and return mailing:

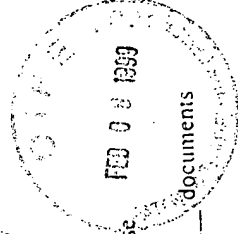
- ☒ Check for \$ 110.00 + 40.00
- ☐ Application papers:
- ☐ Specification pages
- ☐ Number of claims
- ☐ Declaration
- ☐ Power of Attorney
- ☒ Assignment & fee
- ☐ Small Entity Statement
- ☐ Drawing pages

- ☐ Brief
- ☐ Amendment/Response
- ☐ Appeal
- ☐ IDS, PTO-1449 & Documents
- ☐ Issue fee
- ☐ Maintenance fee
- ☐ Response to Notice to File Missing Parts
- ☒ OTHER (Specify)

Petition to Withdraw Holding
of Abandonment: Declarations of
C. Holman & Shirley Davis

CEL/CHA

RHODES, COATS & BENNETT - Docket No. 3781-11

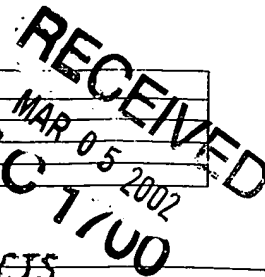


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MAR 05 2002
TC 1700

RHODES, COATS & BENNETT
PARALEGAL-WEST
1600 FIRST UNION TOWER
POST OFFICE BOX 2874
GREENSBORO, NC 27402



IN PAYMENT FOR



2172

66-858 531 20089

PAY

RHODES COATS & BENNETT 110 DOLLARS CTS

DOLLARS

DATE	TO THE ORDER OF
2/8/99	Commissioner of Patents Re: Pet. to Revere 3781-11

CHECK AMOUNT
110

FIRST UNION NATIONAL BANK OF NORTH CAROLINA
Greensboro, North Carolina 27420

NOT VALID OVER \$2500 WITHOUT DUAL SIGNATURES

Pamela Shurling

⑈002172⑈ ⑆053108580⑆ 2000000229517⑈

RHODES, COATS & BENNETT
PARALEGAL-WEST
1600 FIRST UNION TOWER
POST OFFICE BOX 2874
GREENSBORO, NC 27402

IN PAYMENT FOR

2171

66-858 531 20089

PAY

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DOLLARS

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2/8/99	Commissioner of Patents Re: Assignment 3781-011

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40

FIRST UNION NATIONAL BANK OF NORTH CAROLINA
Greensboro, North Carolina 27420

NOT VALID OVER \$2500 WITHOUT DUAL SIGNATURES

Pamela Shurling

⑈002172⑈ ⑆053108580⑆ 2000000229517⑈

BOX DAC
Assistant Commissioner for Patents
Washington DC 20231

Date: 2-8-99
SN/Pat. No. 08/957,431
Filing/Issue Date: 10/24/97
Applicant Inventor Name: Holland J. et al.

Kindly acknowledge receipt of the accompanying items listed below
by placing your receiving stamp hereon and return mailing:

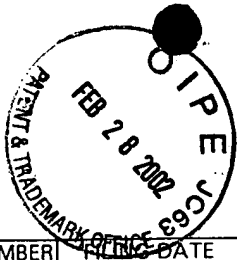
- ☒ Check for \$ 110.00 + 40.00
- ☐ Application papers:
- ☐ Specification pages
 - ☐ Number of claims
 - ☐ Declaration
 - ☒ Power of Attorney
 - ☒ Assignment & fee
 - ☐ Small Entity Statement
 - ☐ Drawing pages

- ☐ Brief
- ☐ Amendment/Response
- ☐ Appeal
- ☐ IDS, PTO-1449 & documents
- ☐ Issue fee
- ☐ Maintenance fee
- ☐ Response to Notice to File Missing Parts
- ☐ OTHER (Specify)

*Petition to Withdraw Holding
of Abandonment Declaration of
C. Hallman & Shirley Davis*

CEL/CHH
RHODES, COATS & BENNETT - Docket No. 3781-11

FILING RECEIPT



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTORNEY DOCKET NO.	DRWGS	TOT CL	IND CL
08/957,431	10/24/97	1314	\$0.00	378111	2	24	4

RHODES COATS BENNETT
ATTORNEY FOR APPLICANT
P O BOX 2974
GREENSBORO NC 27402

RECEIVED
MAR 05 2002
TC 1700

Receipt is acknowledged of this patent application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Application Processing Division's Customer Correction Branch within 10 days of receipt. Please provide a copy of the Filing Receipt with the changes noted thereon.

Applicant(s) JOHN E. HOLLAND, BAILEY, NC; DAVID V. CUNNINGHAM,
ROCKY MOUNT, NC; CONNIE R. HOLLAND, BAILEY, NC.

FOREIGN FILING LICENSE GRANTED 02/20/98
TITLE
LAMINATED FABRIC

PRELIMINARY CLASS: 442

RECEIVED
MAR 05 2002
TC 1700



UNITED STATES PATENT AND TRADEMARK OFFICE



Commissioner for Patents
United States Patent and Trademark Office
Washington, D.C. 20231
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Paper No. 12

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SEP 27 2000

SPECIAL DELIVERY
DIRECTOR'S OFFICE

RHODES COATS BENNETT
ATTORNEY FOR APPLICANT
P.O. BOX 2974
GREENSBORO, NC 27402

In re Application of
Holland, Cunningham and Holland
Application No. 08/957,431
Filed: October 24, 1997
Attorney Docket No. 378111
For: Laminated Fabric

DECISION NOTING JOINDER OF
INVENTOR AND PETITION
UNDER 37 CFR 1.47(a) MOOT

RECEIVED
MAR 05 2002
TC 1700

This is in response to the Request for Reconsideration of petition under 37 CFR 1.47(a) filed September 8, 2000.

In view of the joinder of the inventors, further consideration under 37 CFR 1.47(a) is not necessary and the petition is considered to be moot. This application does not have any Rule 1.47(a) status and no such status should appear on the file wrapper. This application need not be returned to this Office for further consideration under 37 CFR 1.47(a).

This file is being forwarded to the Office of Initial Patent Examination for further processing of the application.

Telephone inquiries should be directed to Petitions Attorney Christina T. Tartera at (703) 306-5589.

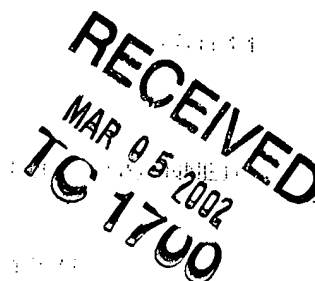
Beverly M. Flanagan
Supervisory Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
--------------------	---------------------	-----------------------	---------------------------

100-7157-001 01/24/97 HOLLAND



DATE MAILED:

NOTICE OF ABANDONMENT UNDER 37 CFR 1.53(f) or (g)
(Filing Date Granted)

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 3-20-98.

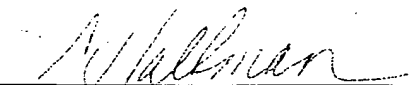
- ☒ No reply was received.
- ☐ The reply received on _____ was untimely.
- ☐ The reply received on _____ was improper. The reply did not include:
- ☐ 1. The surcharge under 37 CFR 1.16(e) required for filing the basic filing fee or oath or declaration on a date later than the filing date of a nonprovisional application.
 - ☐ 2. The surcharge under 37 CFR 1.16(i) required for filing the basic filing fee or cover sheet on a date later than the filing date of a provisional application.
 - ☐ 3. The full amount of the basic filing fee under 37 CFR 1.16 (a), (f), (g), (k).
(Note: A nonprovisional application may not be relied on for benefits under 35 U.S.C. 120 and 37 CFR 1.78 unless the processing and retention fee set forth in 37 CFR 1.21(l) is paid within the one year period set forth in 37 CFR 1.53(f). A provisional application may not be relied on for benefits under 35 U.S.C. 119(e) and 37 CFR 1.78 unless the basic filing fee is paid).
 - ☐ 4. The oath or declaration of all the inventors required under 37 CFR 1.63 for this nonprovisional application.
- ☐ The letter of Express Abandonment filed on _____ is acknowledged; however, the application is abandoned for failure to timely or properly reply to the Notice as indicated above.

A petition to the Commissioner under 37 CFR 1.137 may be filed requesting that the application be revived.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(c).

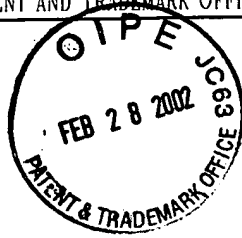
Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(c).

Any questions concerning petitions to revive should be directed to "Office of Petitions" at (703) 305-9282.


Customer Service Center
Initial Patent Examination Division (703) 308-1202



UNITED STATES PATENT AND TRADEMARK OFFICE



COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

RHODES COATS & BENNETT, L.L.P.
P.O. BOX 2974
GREENSBORO, NC 27402

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MAR 05 2002
IC 1700

Paper No. 9

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JUL 10 2000

SPECIAL PROGRAMS OFFICE
DAC FOR PATENTS

In re Application of
Holland, Cunningham & Holland
Application No. 08/957,431
Filed: October 24, 1997
Attorney Docket No. 378111
For: LAMINATED FABRIC

DECISION REFUSING
STATUS UNDER
37 CFR 1.47(a)

This is a decision on the petition under 37 CFR 1.47(a), filed October 8, 1999.

The petition is **DISMISSED**.

Any request for reconsideration of this decision must be submitted within TWO (2) MONTHS from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. Any response should be entitled "Request for Reconsideration of Petition Under 37 CFR 1.47(a)" and may include an oath or declaration executed by the inventor. Failure to respond will result in abandonment of the application.

The above-identified application was filed on October 24, 1997 without an executed oath or declaration. Accordingly, on August 24, 1999, a "Notice to File Missing Parts of Application" was mailed, requiring an executed oath or declaration, filing fees, and a surcharge for their late filing.

In response, on October 8, 1999, a declaration executed by joint inventors John E. Holland and Connie Holland, the surcharge, a power of attorney by the assignee, a statement claiming small entity status, the application filing fee, the petition fee, and the instant petition were filed. A declaration of facts by Clinton H. Hallman, Jr., an attorney of record, and a declaration of facts by John E. Holland accompany the petition. Mr. Holland sets forth the last known address of the non-signing inventor, Mr. David V. Cunningham, and explains that Mr. Cunningham received the declaration that was mailed to him and orally refused to sign it.

(Only)
A grantable petition under 37 CFR 1.47(a) requires

- (1) a petition including proof of the pertinent facts establishing that the joint inventor(s) refuses to join, or cannot be found or reached after diligent effort,
- (2) a proper oath or Declaration executed by the available joint inventor(s),
- (3) the fee of \$130 as specified in 37 CFR § 1.17(h), and
- (4) the last known address of the omitted inventor(s).

This petition lacks items (1) and (2) above.

As to item (1), Applicant has failed to establish that the inventor has refused to sign the declaration. The proof of the pertinent events should be made by a statement of someone with first hand knowledge of the events. The Office requires that a the non-signing inventor be provided with a complete copy of the application as filed. This includes the specification with claims, drawings, if any, and a declaration. See MPEP 409.03(d). Mr. Holland's and Mr. Hallman's statements reveal that Mr. Cunningham was only mailed a declaration.

As to item (2), an oath or declaration for the patent application in compliance with 37 CFR 1.63 and 1.64 still has not been presented. Mr. Holland signed the declaration on Mr. Cunningham's behalf. However, there are three joint inventors. All the signing inventors must sign the declaration on behalf of themselves and on behalf of the non-signing inventor. Ms. Connie Holland must sign the declaration, also. An oath or declaration in compliance with 37 CFR 1.63 and 1.64 signed by the Rule 1.47 applicant on behalf of Mr. Cunningham is REQUIRED. See MPEP 409.03(b).

DL The Power of Attorney and Statement Claiming Small Entity Status, both filed on October 8, 1999 by the assignee of record who has shown 37 CFR 3.73(b) authority, have been accepted and made of record.

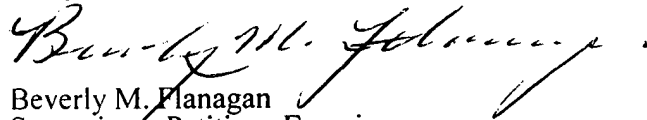
Further correspondence with respect to this matter should be addressed as follows:

By mail: Assistant Commissioner for Patents
Box DAC
Washington, D.C. 20231

By facsimile: (703) 308-6916
Attn: Special Program Law Office

By hand: Special Program Law Office
2201 South Clark Place
Crystal Plaza 4, Suite 3C23
Arlington, VA 22202

Telephone inquiries should be directed to Petitions Attorney E. Shirene Willis at (703) 308-6712.


Beverly M. Planagan
Supervisory Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
08/957,431	10/24/1997	JOHN E. HOLLAND	378111	2082

7590

01/28/2002

RHODES COATS BENNETT, L.L.P.
P O BOX 2974
GREENSBORO, NC 27402

EXAMINER

GALLAGHER, JOHN J

ART UNIT

PAPER NUMBER

1733

DATE MAILED: 01/28/2002



Please find below and/or attached an Office communication concerning this application or proceeding:



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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08957,431



EXAMINER

ART UNIT	PAPER NUMBER
----------	--------------

DATE MAILED:

NOTICE UNDER 37 CFR 1.251 - Pending Application

☒ The file of the above-identified application cannot be located after a reasonable search. Therefore, the Office is initiating the reconstruction of the file of the above-identified application pursuant to the provisions of 37 CFR 1.251.

Applicant is given a period of **THREE (3) MONTHS** from the mailing date of this notice within which to provide a copy of applicant's record (if any) of all of the correspondence between the Office and applicant for the above-identified application (except for U.S. patent documents), a list of such correspondence, and a statement that the copy is a complete and accurate copy of applicant's record of all of the correspondence between the Office and the applicant for the above-identified application (except for U.S. patent documents), and whether applicant is aware of any correspondence between the Office and applicant for the above-identified application that is not among applicant's records.

☐ The following paper(s) pertaining to the above-identified application cannot be located after a reasonable search:

Therefore, the Office is initiating the reconstruction of such paper(s) pursuant to the provisions of 37 CFR 1.251.

Applicant is given a period of **THREE (3) MONTHS** from the mailing date of this notice within which to provide a copy of the paper(s) listed above and a statement that the copy of such paper(s) is a complete and accurate copy of applicant's record of such paper(s).

Alternatively, applicant may reply to this notice by producing applicant's record (if any) of all of the correspondence between the Office and the applicant for the above-identified application for the Office to copy (except for U.S. patent documents), and provide a statement that the papers produced by applicant are applicant's complete record of all of the correspondence between the Office and the applicant for the above-identified application (except for U.S. patent documents), whether applicant is aware of any correspondence between the Office and the applicant for the above-identified application that is not among applicant's records. Such records must be brought to the Customer Service Center in the Office of Initial Patent Examination (Crystal Plaza 2, 2011 South Clark Place, Arlington, VA 22202).

If applicant does not possess any record of the correspondence between the Office and the applicant for the above-identified application (or any copy of the paper(s) listed above), applicant must reply to this notice by providing a statement that applicant does not possess any record of the correspondence between the Office and the applicant for the above-identified application.

Failure to reply to this notice in a timely manner will result in abandonment of the above-identified application. The three-month period for reply to this notice may be extended (up to a maximum of six months) under the provisions of 37 CFR 1.136(a). However, failure to reply within this three-month period will result in a reduction of any patent term adjustment. See 37 CFR 1.704(b).

☐ A printout from PALM of the contents of the file of the above-identified application is included with this notice.

Direct the reply to this notice to:

Box Reconstruction TC 1700 - Valarie R. Reid
United States Patent and Trademark Office
Washington, DC 20231

Direct questions concerning this notice to:

(703) 308-1175

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

In re Application of: _____

Application No.: _____

Filing Date: _____

Title: _____

Direct to:

TC 1700
~~Box Reconstruction~~ *Attn: Valarie R. Reid*
United States Patent and Trademark Office
Washington, DC 20231

NOTICE UNDER 37 CFR 1.251 - Pending Application

Statement (check the appropriate box):

☐ The copy submitted with this reply is a complete and accurate copy of applicant's record of all of the correspondence between the Office and the applicant for the above-identified application (except for U.S. patent documents), and applicant is not aware of any correspondence between the Office and applicant for the above-identified application that is not among applicant's records.

☐ The copy of the paper(s) listed in the notice under 37 CFR 1.251 is/are a complete and accurate copy of applicant's record of such paper(s).

☐ The papers produced by applicant are applicant's complete record of all of the correspondence between the Office and the applicant for the above-identified application (except for U.S. patent documents), and applicant is not aware of any correspondence between the Office and the applicant for the above-identified application that is not among applicant's records.

☐ Applicant does not possess any record of the correspondence between the Office and the applicant for the above-identified application.

Date

Signature

Typed or printed name

A copy of this notice should be returned with the reply.

Burden Hour Statement: This collection of information is required by 37 CFR 1.251. The information is used by the public to reply to a request for copies of correspondence between the applicant and the USPTO in order to reconstruct an application file. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 60 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

957431

1733

14

APPLICANT(S)

404422 2222

[illegible][illegible]



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY OF COMMERCE AND
COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

August 20, 1999

Page No. 5

Rhodes Coats Bennett
Attorney For Applicant
PO Box 2974
Greenboro, NC 27402

In re Application of
Holland, et al.
Application No. 08/957,431
Filed: October 24, 1997
Attorney Docket No: 378111

ON PETITION

This is a response to your communication filed February 8, 1999 which is being treated as a petition to consider the reply to Notice of February 20, 1998 as being timely filed.

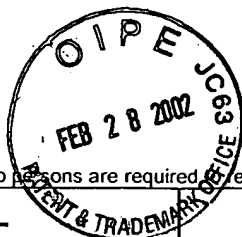
The petition is granted.

This application was abandoned for failure to timely respond to the Office action mailed May 11, 1998. The evidence presented shows that the delay in filing the response to the Notice to File Missing Parts Letter, was due to non-receipt of Office action by applicant's representative. In support of this contention, the petitioner provided the office with copies of the docketing system used for incoming correspondence from the Patent and Trademark Office on which this Office action should have been posted had it been received.

The Notice of File Missing Parts of Application filing date granted letter will be resent to the above mentioned address. You will have two months from the date on the letter to respond to the notice.

A handwritten signature in cursive script, reading "Betty L. Robinson".

Betty L. Robinson
Office Of Initial Patent Examination



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL

Patent fees are subject to annual revision on October 1

These are the fees effective November 10, 1998.

Small Entity payments must be supported by a small entity statement.
otherwise large entity fees must be paid. See Forms PTO/SB/09-12.

See 37 C.F.R. §§ 1.27 and 1.28.

Complete if Known

Application Number	08/957,431
Filing Date	10/24/97
First Named Inventor	Holland, John
Examiner Name	
Group Art Unit	1314
Attorney Docket No.	3781-011

TOTAL AMOUNT OF PAYMENT (\$150.00)

METHOD OF PAYMENT (check one)

1. ☒ The Commission is hereby authorized to charge indicated fees and credit any over payments to:

Deposit
Account
Number

18-1164

Deposit
Account
Name

Rhodes, Coats & Bennett, L.L.P.

- ☒ Charge Any Additional Fee Required Under 37 CFR §§ 1.16 and 1.17 ☐ Charge the Issue Fee Set in 37 CFR § 1.18 at the Mailing of the Notice of Allowance

2. ☒ Payment Enclosed:

☒ Check ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	760	201	380	Utility filing fee	
106	310	206	155	Design filing fee	
107	480	207	240	Plant filing fee	
108	760	208	380	Reissue filing fee	
114	150	214	75	Provisional filing fee	
SUBTOTAL (1) (\$)					

2. EXTRA CLAIM FEES

	Extra Claims	Fee from below	Fee Paid
Total Claims		-20** =	
Independent Claims		-3** =	
Multiple Dependent Claims			

** or number previously paid, if greater; For Reissues, see below

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	78	202	39	Independent claims in excess of 3
104	260	204	130	Multiple dependent claim
109	78	209	39	**Reissue independent claims over original patent
110	18	210	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examination action	
115	110	215	55	Extension for reply within first month	
116	380	216	190	Extension for reply within second month	
117	870	217	435	Extension for reply within third month	
118	1,360	218	680	Extension for reply within fourth month	
128	1,850	228	925	Extension for reply within fifth month	
119	300	219	150	Notice of Appeal	
120	300	220	150	Filing a brief in support of an appeal	
121	260	221	130	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	110
141	1,210	241	605	Petition to revive - unintentional	
142	1,210	242	605	Utility issue fee (or reissue)	
143	430	243	215	Design issue fee	
144	580	244	290	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	240	126	240	Submission of Information Disclosure Stmt.	
581	40	581	40	Recording each patent assignment per property (times number of properties)	40
146	760	246	380	Filing a submission after final rejection (37 CFR 1.129(a))	
149	760	249	380	For each additional invention to be examined (37 CFR 1.129(b))	

Other fee (specify)

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$150.00)

SUBMITTED BY

Typed or
Printed Name

Clinton H. Hallman, Jr.

Signature

Date

2/9/99

Complete (if applicable)

Reg. Number

38,480

Deposit Account
User ID

18-1164

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

FILING RECEIPT
CORRECTED



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTORNEY DOCKET NO.	DRWGS	TOT CL	IND CL
08/957,431	10/24/97	1771	\$0.00	378111	2	24	4

RHODES COATS BENNETT
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RECEIVED

MAR 05 2002

TC 1700

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts of Application" ("Missing Parts Notice") in this application, please submit any corrections to this Filing Receipt with your reply to the "Missing Parts Notice." When the PTO processes the reply to the "Missing Parts Notice," the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s) JOHN E. HOLLAND, BAILEY, NC; DAVID V. CUNNINGHAM,
ROCKY MOUNT, NC; CONNIE W. HOLLAND, BAILEY, NC.

IF REQUIRED, FOREIGN FILING LICENSE GRANTED 02/20/98

TITLE

LAMINATED FABRIC

PRELIMINARY CLASS: 442

DATA ENTRY BY: WILLIAMS, THERESA L. TEAM: 08 DATE: 10/05/99

(See reverse for new important information)

For: PTO-1082



Case Docket No. 3781-11
Date: October 24, 1997

THE COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

Sir:

Transmitted herewith for filing is the patent application of

Inventor: Holland, et al.

For: LAMINATED FABRIC

Enclosed are:

- ☒ 2 sheets of drawings.
- ☐ An assignment of the invention to
- ☐ A certified copy of a application.
- ☐ An associate power of attorney.
- ☐ A verified statement to establish small entity status under 37 CFR 1.9 and 37 CFR 1.27.

The filing fee has been calculated as shown below:

	(Col. 1)	(Col. 2)
For:	No. Filed	No. Extra
Basic Fee		
Total Claims	20	4
Indep. Claims	3	1
Multiple Dep. Claim Presented		
Assignment Fee		

Small Entity	
Rate	Fee
	\$395
x\$11	\$000000 00
x\$41	\$0
\$135	\$0
\$40	\$0
Total	\$0

Other than Sm. Entity	
Rate	Fee
	\$790
x\$22	\$88
x\$82	\$82
\$270	\$0
\$40	\$0
Total	\$960

- ☐ A check in the amount of \$ to cover the filing fee is enclosed.
- ☐ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to the Deposit Account No. 18-1164. A duplicate copy of this sheet is enclosed.

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